

V. LANDOWNER CONCERNS

A key element of Colusa Subreach Planning is the identification and resolution of landowner concerns that relate to wildlife habitat conservation in general and habitat restoration in particular. This Chapter provides a summary of the principal concerns based upon input received as part of the CSP process. These concerns most frequently relate to potential effects of habitat restoration activities on the flood control system, the local economy and neighboring landowners. In order to provide a context for understanding these concerns, this Chapter begins with an overview of the local setting and economy.

Colusa Subreach Planning involves the engagement of local landowners, organizations and agencies in the planning of an ecosystem restoration strategy for the Colusa Subreach. With the identification of landowner concerns, CSP will proceed to address these concerns as part of the planning process. This will occur in conjunction with the planning of wildlife habitat restoration on specific properties in the Subreach and through planning and research projects that are specifically directed toward the identified concerns. The Advisory Workgroup will be closely involved in these planning and research projects and project results will be made available to all interested stakeholders.

A. Local Setting

The Colusa Subreach is a 5466-acre (8.54 square miles) portion of Colusa and Glenn Counties. Colusa County lies on the south side of Glenn County and both counties extend from Sacramento River and Butte Creek on the east to roughly the crest of the Coast Range on the west. Colusa County has a total area of approximately 736,450 acres (1,151 square miles) and an estimated population of 20,880 persons as of January 1, 2005. Glenn County has an area of approximately 841,470 acres (1,315 square miles) and a population estimated to be 28,197 persons. Between 2004 and 2005 Colusa County increased at a rate of 2.7% and Glenn County increased at a rate of 1.3%. The population estimates cited in this paragraph are from the California Department of Finance, Demographics Research Unit.

Agricultural Economy – The combination of agriculture and agriculture-related business is the principal economic activity in both Colusa and Glenn Counties. In Colusa County, approximately 45% of the land is in agricultural crops and in Glenn County approximately 32% of the land is in crops. The majority of the land that is not in crops is in the mountainous, western portion of the two counties, where soils and slopes are not suitable for cropland. A substantial portion of that area, however, is utilized for livestock raising. Table 5 describes the land within each County that is devoted to agricultural crops.

The vast majority of the crop value is produced on irrigated land. In Colusa County, approximately 88% of the cropland was irrigated and in Glenn County approximately 86% was irrigated in 2002. A comparison between the 1997 and 2002 USDA Census of Agriculture indicates that acreage of irrigated cropland

increased in both Counties over that period. The increase was approximately 3% in each County; 9,700 acres in Colusa County and 6,900 acres in Glenn County. This increase was a continuation of a fifteen-year trend. The largest source of water for irrigation of this area is the Sacramento River.

Table 5. Cropland in Colusa and Glenn Counties

Data Category	Colusa County	Glenn County
Total Acres	736,450	841,420
Acres in Farms	485,392	506,372
Cropland Acres	331,843	271,470
Irrigated Acres	290,861	233,127
Number of Farms	821	1,283

Source: USDA 2002 Census of Agriculture

In 2003, both counties produced a record total value of crops. Compared to the total value ten years earlier, this represented a 27% increase for Colusa County and a 23% increase for Glenn County. For each County, the highest value crop was rice followed by almonds. Table 6 lists the highest value crops for each County in 2003. All figures cited in this paragraph are taken from the 2003 annual reports prepared by the County Agriculture Departments for each of the two Counties. It is important to note that these available figures represent gross receipts and that they do not represent net income. Additionally, these figures are not adjusted to reflect inflation.

Table 6. 2003 Crop Value in Colusa and Glenn Counties

Product	Colusa County		Glenn County	
	Value	Rank	Value	Rank
Rice	\$106,669,000	1	\$160,971,000	1
Almonds	\$73,206,000	2	\$53,060,000	2
Processing Tomatoes	\$32,318,000	3	na	na
Cattle and Calves	\$11,628,000	4	\$17,639,000	4
Rice Seed	\$9,485,000	5	\$2,487,000	na
Dairy Products	na	na	\$48,539,000	3
Walnuts	\$6,466,000	6	\$15,182,000	5
Total of all Crops	\$361,573,000		\$317,387,000	

*Source: 2003 Crop Report, Colusa County Department of Agriculture
2003 Crop and Livestock Report, Glenn County Department of Agriculture*

All of the cropland in Glenn and Colusa counties was in native vegetation prior to the mid 1800's. This area included grasslands, seasonal marshes and riparian forests. The conversion of this land to agriculture over the last 150 years permitted the growth of the local agricultural economy and the related services and activity that it supports. Local concerns about potential impact of restoration activities on the flood control system and on agriculture within and adjoining the Colusa Subreach relate to public safety and to the ongoing viability of the local economy and the social interactions that it supports.

B. Principal Landowner Concerns

Landowner concerns were identified as part of the initial phase of CSP. Records from past public input programs were reviewed and a public input meeting was held on February 17, 2005, which was specifically focused on the identification of landowner concerns. A telephone survey of landowners within the Colusa Subreach and on the adjoining properties was also conducted by the Institute for Social Research at California State University, Sacramento. Finally, the Advisory Workgroup held several discussions that addressed overall concerns and concerns that related to the eight proposed habitat restoration sites. A summary of the most commonly mentioned concerns is provided below.

The Advisory Workgroup has identified planning and research projects that could be pursued as part of CSP to better understand or possibly resolve these concerns. The Workgroup will evaluate and prioritize these projects and recommend a mix of projects that fits within the CSP budget parameters and “Gets the most bang for the buck” in terms of resolving landowner concerns. Planning and research projects that have been proposed by the Advisory Workgroup are noted for information only. They are not specifically cited as resolutions to the identified concerns. The inclusion of these potential projects is intended only to inform the reader about the type of planning and research activities that may be pursued as part of CSP.

Although actions have been taken in response, there remains a feeling on the part of many local interests that their concerns have not been adequately heard or resolved. As noted previously, Colusa Subreach Planning is intended to provide a new forum to clarify, better inform and address these concerns as they relate to specific habitat restoration projects in the Colusa Subreach.

Effects on Flood Control and Water Supply – Because the Sacramento River Flood Control Project is key to the safety and ongoing economic welfare of Colusa and Glenn Counties, stakeholders are concerned that habitat restoration could reduce the protection afforded by the system. Stakeholders have expressed concerns include that restoration activities may lead to:

- Higher flood flow levels due to increased vegetation cover
- Increased levee seepage due to increased flood flow levels
- Reduction in flood flow capacity due to increased deposition of sediment caused by increased vegetation cover
- Floodway capacity limitations (and navigation hazards) related to increased amounts of large wood debris
- Future flow regime changes related to ecosystem restoration
- Erosion of hard points that protect infrastructure investments

Potential effects on flood control and water supply ranked as the highest priority concern among local interests and the Advisory Workgroup. For this reason, concerns related to flood flows under existing conditions and with proposed restoration projects will be addressed through hydraulic modeling as part of CSP. Other related questions may be addressed through Landowner Question research projects as determined with the Advisory Workgroup.

Fiscal and Economic Effects – The transfer of land from private to public ownership for habitat conservation, flood control and recreation purposes can result in a decrease in tax revenues to local government agencies in Colusa and Glenn Counties. This is primarily because the state and federal government are not subject to local taxes. The state and federal governments each provide

some payments in lieu of taxes (PILT) but these payments do not apply to all properties and they do not equal the local revenues that would otherwise be generated. Additionally, there can be a loss of tax revenue and local economic activity that relates to the loss of the value of the crops grown on lands that are converted from agriculture. An analysis of this effect is planned as a Landowner Question research project. It is recognized, however, that any change to the existing taxation or PILT system will require legislative action at the state and/or federal levels.

Public Recreation Access - The concern has been expressed that public ownership of land for habitat conservation may preclude the public from using those lands for recreation activities such as hunting, fishing, birding, etc. This concern has often been raised in regard to the Sacramento National Wildlife Refuge, which is managed by the US Fish and Wildlife Service. Prior to the adoption of the Comprehensive Conservation Plan (CCP) for the Refuge, public access was not permitted on most of the Refuge lands. This specific issue was largely resolved, however, with the adoption of the CCP in April of 2005 which provided for approximately 79% of the refuge land to be open to public use.

All the fee title lands managed by CDFG and CDPR are open to the public use. Concerns are expressed, however, that regulations could change and the current, open access might be eliminated in the future. There is also a concern that many of the publicly-owned sites do not have access available from the land; they are only accessible from the river, by boat. It is felt that this lack of convenient access precludes use by many persons. The development of a public recreation and access plan for the Colusa Subreach and a combination restoration and recreation plan for the Ward Tract are anticipated as a Focal Area Planning project in response to this concern.

Public Access Effects – Concerns have also been expressed regarding potential problems that could be caused by public access to publicly-owned land. Concerns include increased trespassing onto adjoining private land and vandalism of adjoining, private property. A common comment is that neither the state and federal agencies nor the County Sheriff's Departments have sufficient resources to adequately patrol the areas adjacent to the river. The development of a public recreation and access plan for the Colusa Subreach is planned as a Focal Area Planning project that will help to address this concern.

Increased Regulation – There is a concern that increased public ownership of land and increased areas of publicly-owned wildlife habitat may result in increased regulation of other properties in the Subreach by state and federal agencies. These concerns primarily relate to regulations that pertain to special status species and water and air pollution standards. Concerns have been expressed related to the following regulatory possibilities:

- Increase limitations related to state and federal Endangered Species Acts
- Additional mitigation requirements related to impacts on the environment or special status species
- Additional requirements or increased enforcement of agricultural chemical application regulations
- Additional requirements or increased enforcement of agricultural runoff water quality requirements

Two CSP projects have been discussed to address aspects of this regulatory concern. A project to develop a Programmatic Safe Harbor Agreement for the Valley Elderberry Longhorn Beetle (VELB) has been proposed as part of CSP to preclude additional regulatory limits related to the VELB. Research to identify the existing Endangered Species Act effects on agriculture and any anticipated future effects is planned as part of a Landowner Question research project.

Crop Damage from Wildlife- Local landowners are concerned that increasing the area of wildlife habitat through restoration of native vegetation may result in an increase in crop depredation from increased agricultural pest populations. Pests of concern include insects, rodents, deer and other animals. Local interests have also indicated that they need to be consulted when habitat restoration projects are being designed so that potential problems can be mitigated in project design. CSP will include multiple consultations with each neighbor adjoining proposed restoration projects and development of a written agreement to clarify the determinations of these meetings. Additionally, a landowner question research project is planned to better define this potential effect and help identify appropriate mitigations.

Increased Mosquito Populations and Increased Incidence of West Nile Virus – Local interests have expressed a concern that the restoration of natural vegetation may lead to increased populations of mosquitoes and increased incidence of West Nile Virus (a disease transmitted by mosquitoes). While no new wetland areas are proposed as part of CSP, the application of Central Valley Joint Venture Best Management Practices and coordination with local mosquito abatement agencies are proposed as part of CSP to help limit mosquito populations and resolve this concern.

Landowner Assurances – The term “Landowners Assurances” has been used to refer to procedures that can provide assurances to neighboring landowners that habitat conservation will not lead to negative impacts on their land and their agricultural operations. Concerns center around two principal issues. First, a standardized grievance process is desired that can provide quick and inexpensive resolution of issues and disputes between private and conservation agency landowners. Second, a process to provide timely compensation for impacts to private landowners from habitat conservation lands is desired. The Landowners Assurances Committee of the SRCAF has attempted to define and resolve these but to date, no resolution has resulted. The lack of resolution is partially related to existing state and federal laws which specify the responsibilities of public agencies and the procedures for dispersal of public funds. Local interests indicate that this lack of resolution is a matter of considerable frustration. The Advisory Workgroup has recognized that these concerns are important but, are beyond the scope of CSP and must be resolved in other venues involving the SRCAF and appropriate state and federal agencies.

Self-Mitigating Area – Landowner interests have indicated that they believe that the Sacramento River Conservation Area should be a “Self Mitigating Area” where the benefits that have accrued to the ecosystem through the various habitat conservation projects should be determined to be mitigation for the impacts of future projects related to flood control, water supply, recreation, agriculture etc. This objective has also been pursued through the Landowners Assurances Committee of the SRCAF, though it is as yet unresolved.

Additionally, the SRCAF continues to address this issue through a LEGACI grant from the Great Valley Center. As with Landowners Assurances, there are numerous regulatory questions to be resolved and this lack of resolution is a matter of frustration to local interests. The Advisory Workgroup has recognized that this concern is important but, it is also beyond the scope of CSP and must be resolved in other venues involving the SRCAF and appropriate state and federal agencies.